

Docket #97-80
TSR44

FILED/ACCEPTED

SEP 19 2007

Federal Communications Commission
Office of the Secretary

9/10/2007 7:12:27 PM - Email Acknowledgement sent to darylrouwer@gmail.com.

darylrouwer@gmail.com wrote on 9/10/2007 7:11:35 PM :

Dear Chairman Martin and other members of the FCC,

I would like to take a moment to point out all the problems that consumers have been having with CableCARDS during the roll out of digital television. While I understand the position of the media companies to encrypt signals and prevent theft, CableCARD is one of the most useless devices to be developed out of CableLABS.

The cable industry and cablelabs has hampered innovation and created a system that is so draconian in execution that it is nearly impossible to work with.

They have not trained their people to support the cableCARD, they have restricted vendors from innovations in content distribution, and have held back the United States in technical capability. Please take a look at the following threads on the internet:

<http://www.tivocommunity.com/tivo-vb/archive/index.php/f-51-p-9.html>

<http://www.broadbandreports.com/forum/r18249975-Cable-card-help>

You can see 100's if not 1000's of people are frustrated by these devices.

Please relax the encryption requirements so that it has to be done through software. This is definitely possible through Digital Certificates (a proven internet technology) or other software mechanisms. The failure rate on these cards is just incredible. It is probably one of the worst technologies to be developed in the past 10 years.

Thank you for your time and consideration,

Daryl Brouwer

--

Daryl Brouwer	Email: daryl@brouwer.com
920 W Madison #901W	ICQ#: 1126140
Chicago, Illinois 60607	AOL/Yahoo/MSN/Skype: darylrouwer
	Mobile: +1 773 350 1295

No. of Copies rec'd _____
List A B C D E

Aug 24, 2007

FCC Public Comments
445 12th Street SW
Washington, DC 20554

Two days ago, I contacted ComCast to institute digital service for my 85-year-old mother for whom I had purchased a TIVO DVR. I told the service agent in the clearest possible language that we needed two CableCards installed. She set up an appointment for today within a 4-hour window. Late in the window, I received a panicky call from my mother stating that she suspected the technician was installing the wrong thing. Sure enough, he came with a ComCast cable box and no CableCards for the TIVO. She put him on the line and I talked him out of installing the cable box which would have completely destroyed the ability of the TIVO to do its job. He said that his job ticket said

nothing about CableCards and specifically indicated that I had ordered a ComCast cable box.

What is the matter with this picture? Other steps in setting up a modern TV and a TIVO are far more difficult than the insertion of CableCards into slots and initialization, but rather than making CableCards available for customer pickup at stores, ComCast insisted on access to my mother's apartment in a four-hour window two days hence. Then, they didn't show up with the CableCards. Accidental

oversight? I doubt it. My discussion with the service representative made it very clear that we did not want a cable box and that we wanted

two (2) CableCards for a TIVO DVR. If my mother was not actually being SLAMMED, she was certainly not getting CableCards without a hassle.

It is clear that consumer choice will not be fostered unless the cable operators are required to compete on an even footing with other providers of set-top boxes.

As a consumer interested in protecting competition, innovation, and legitimate use of cable TV content, I urge you to refuse requests for waivers of 47 CFR 76.1204(a)(1) by NCTA, Charter, Verizon, and all other cable providers. The FCC's integration ban, which in effect requires cable companies to integrate CableCARDS into their own set-top boxes, remains good policy today.

Now ten years after the Telecommunications Act of 1996, cable companies have dragged their feet long enough on competitive alternatives to proprietary set-top boxes, thus hampering innovation and harming consumers. The integration ban will also help market

competition prevent further restrictions on cable subscribers' ability to make legitimate use of recorded content.

By adopting content protection limits (encoding rules) in docket no. 97-80, the Commission recognized the importance of allowing consumers to make certain uses of TV content, regardless of a particular cable provider's or copyright holder's wishes. With competition spurred on

by the integration ban, consumers would have the freedom to choose the least restrictive cable-compatible device available. The CableCARD standard already prescribes restrictions that harm consumers by limiting non-infringing uses, and such restrictions will get even worse if cable providers' set-top boxes are unchecked by competition.

Please refuse requests for waivers of 47 CFR 76.1204(a)(1). List ABCDE

No. of Copies rec'd 0

Sincerely,

Mr. Ted Franklin
1032 Winsor Ave
Piedmont, CA 94610-1104